

1906-06 Chancery Causes: I. W. Campbell & Son] vs. O. P. Livesay & Co.  
Lee Co.

Campbell, Surgener

CA - Debt  
T - Property



To the Hon. H. A. W. Skeen, Judge of the Circuit Court for Lee County, Virginia.

Humbly complaining your orators, I. W. Campbell, Sr. and I. W. Campbell, Jr., merchants <sup>n</sup> under the firm name of I. W. Campbell & Son, would respectfully represent and show unto your honor, that on the 17th day of October, 1903, they obtained a judgment before H. C. Joslyn, a Justice of the Peace, of the said County, for \$68.52, with interest on \$59.42, part thereof, from the 26th day of September, 1897, and on \$8.10, the residue, from the 17th day of October, 1903, until paid, and \$1.00 cost, which judgment was on the \_\_\_\_\_ day of \_\_\_\_\_, 1903, duly docketed on the Judgment Lien Docket and indexed according to law in the clerk's office of the County Clerk of Lee County, Virginia, a copy of the said judgment is herewith filed as part hereof marked "A", and a copy of the said docketing and indexing in the said judgment lien docket is herewith filed as part hereof marked "B". Now, your orators further state that the said O.P. Livesay is seized and possessed, in fee-simple, of a moiety of a tract of land, lying and being in the said County of Lee, and a small portion thereof in the County of Hancock, State of Tennessee, containing \_\_\_\_\_ acres, more or less. It being the same tract of land conveyed to the said O.P. Livesay and Nancy E. Livesay, his wife by S.S. Surgener, deceased, father of the said Nancy E. Livesay, by deed duly recorded in the Lee County Clerk's Office in deed book 41, page 581, a copy of which deed is herewith filed as a part hereof marked "C", and it will be seen by an inspection of said deed that the same was made to the said Livesay and wife jointly, and he thereby became the owner of a moiety of the said tract of land, and your orators are advised that their said judgment, no part of which has been paid, is a lien under the Statute Law of Virginia on ~~the said~~ the said interest of the said O. P. Livesay in the said tract of land, the rents and profits of the said interest will not satisfy the said judgment in five years, and your orators will further



represent and show unto your honor that I.W. Campbell, a member of the said firm of I.W. Campbell & Son, has a judgment in his favor against the said O.P.Livesay for \$23.57 with interest on \$20.75, part thereof from the 26th day of September 1897, and on \$2.32, the residue thereof from the 17th day of October, 1903, until paid, and \$1.00 cost, which judgment they are advised is likewise a lien on the said interest in the said tract of land, and no part thereof has been paid. A copy of the said last mentioned judgment is herewith filed as part hereof marked "D", and the said judgment having been likewise docketed in the judgment lien docket in the said Clerk's Office and indexed according to law, a copy of the said docketing and indexing of said judgment is also filed herewith as a part hereof marked "E". And there are no other liens, by judgment or otherwise, against the said interest of the said O.P.Livesay in the said tract of land of which your orators have any knowledge, and the purchase money for which a lien was retained in the deed conveying said tract of land, has been fully paid, but the said vendor's lien not having been released upon the record of the said deed, your orators ask that A.R.Surgener, who is administrator of the estate of S.S.Surgener, deceased, be required to release the said lien, or if the same has not been paid, that he establish and show the facts as to how much, if any part thereof, remains unpaid.

The object of this bill, therefore, is to have the said interest in the said real estate, or so much thereof as may be necessary, sold to satisfy the said judgments, and the said vendor's lien released, and to this end they make the said O.P.Livesay and A.R.Surgener, administrator of the said S.S.Surgener, deceased, the parties defendant to this bill, and ask that they be required to answer the same, but not on oath, answering under oath being waived, which is filed on behalf of your orators and the said I.W.Campbell, and all such other lien creditors, if any, of the said O.P.Livesay as shall come into and contribute to the cost of this suit. And they pray



-3-

that the relief above asked for be granted, together with all such other further and general relief as may be consistant with equity and the case may require, And your orators will ever pray &c.

*Om & Naal. p. g.*



B. 7.77  
 S. 15.00  
 S. 2.50  
 Court. 6.00  
 Tax. 1.50  
 Total to 32.77  
 including 3.64  
 Decr 1907. 36.41  
 Fund balance

J. W. Campbell & Son

vs Bill in Chy.

O. P. Leary.

1904. 2nd. 1st Rules Bill  
 filed, & a transcript for  
 A. R. Surgenor & Son  
 and O. P. Leary as to sign.  
 & Court as to O. P. Leary.  
 11 1st Decr. R. - O. P. Leary & Son  
 Court.

1905. 1st Jan. Rules Bill filed  
 filed on O. P. Leary & Son.  
 11 2nd Jan. Rules Bill filed  
 set for hearing by O. P. Leary & Son.

Who paid for

B. C. L. McPherson  
 50 cts Aug 5 1905



J. W. Campbell & Son Plaintiffs  
against  
O. P. Leroux et al. Defendants } In Chancery.

On motion of A. J. Baker one of the  
creditors of defendants and for whose bene-  
fit this cause has been retained on the  
docket, this cause is retired from the  
docket with leave to said Baker to here-  
after have the same reinstated on the  
docket.



J. W. Campbell &  
- Son

vs { Decree Final  
O. P. Leary et al

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Entered in COB.  
#8, page 218

Enter this decree  
H. A. W. Shum  
Sept 25<sup>th</sup> 1906.



J. W. Campbell & Son,

Plaintiff.

vs.

In Chancery.

O. P. Livesay, et al,

*Defendants.*

This cause came on ~~again to be~~ heard upon the papers formerly read in the cause, and the report of James W. Orr, Commissioner, filed September 7th, 1905, and was argued by counsel.

On consideration thereof, and the said report being unexcepted to, it is adjudged, ordered and decreed that the same be and ~~are~~ <sup>is</sup> hereby confirmed, and it appearing from the said report that the ~~said~~ judgments in favor of the plaintiffs have been fully satisfied, and that A. J. Baker, the owner of the deed of trust reported by commissioner Coins against O. P. Livesay and wife, does not desire a sale of the real estate made just at this time. It is further ordered that this ~~cause~~ proceed hereafter at the instance and cost of the said A. J. Baker, and the cause is continued.



J. W. Campbell & Son  
vs { Decrel  
C. P. Leary et al

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Entered in C. O. B. 8.  
page 66 + 67.

Enter this Decrel.

J. C. W. Stinson

Sept 18 1905.



I. W. Campbell & Son,

Plaintiff,

vs.

In Chancery.

O. P. Livesay & A. R. Surgener, admr. of the estate of

S. S. Surgener, deceased.

Defendants.

This cause came on again to be heard upon the papers formerly read in the case, and the report of A. M. Goins, commissioner, filed in this cause April 14th, 1905, and the written statement of the defendant A. R. Surgener, administrator as aforesaid, dated March 20th, 1905, and addressed to said Goins commissioner, in which said Surgener stated that to the best of his knowledge the vendor's lien retained in the deed of the said S. S. Surgeren in his life time to the said defendant O. P. Livesay, and Nancy E. Livesay, his wife, for the tract of land in the bill mentioned has been satisfied, and was argued by counsel, on consideration whereof, and no further answer on this point having been made by the said administrator, and the said report of the said Goins being unexcepted to, it is adjudged, ordered and decreed that the said report, be and is hereby confirmed; and pursuant to said report, it is adjudged, ordered and decreed that A. J. Baker recover against the said O. P. Livesay and Nancy E. Livesay, his wife the sum of \$500.00 the amount of his deed of trust, with interest thereon from February 21st, 1902, until paid, which is adjudged to be a first lien on the tract of land conveyed by S. S. Surgener, deceased, to the said O. P. Livesay and Nancy E. Livesay his wife, in the bill mentioned, and to be paid jointly by the said Livesays, that I. W. Campbell & Son recover against the said O. P. Livesay \$67.52 with interest on \$59.42 part thereof, from the 26th day of September 1897 until paid, and on \$8.10 the residue thereof from 17th day of October, 1903 until paid, and \$1.25 cost, subject to a credit of \$72.00 paid April 28th, 1905. And that I. W. Campbell recover against the said O. P. Livesay \$23.57 with interest on \$20.75 part thereof, from 26 day of September 1897 until paid, and on \$2.82 the residue thereof from the 17th day of October, 1903,



until paid and \$1.25 cost. These two last recoveries, being the amount of the two justice's judgments against the said O. P. Livesay in the bill mentioned, and each of which is adjudged to be a second lien upon the interest of the said O. P. Livesay in the said tract of land conveyed to <sup>him</sup> and his said wife, by the said S. S. Surgener, deceased, And that the plaintiff recover against the said O. P. Livesay the costs of this suit, and that the vendor's lien retained in said deed from S. S. Surgener to O. P. Livesay and Nancy E. Livesay, his wife, be and the same is hereby released.

And unless the above recoveries are paid within thirty days from the adjournment of this court, then said James W. Orr, who is appointed a commissioner for that purpose, will proceed to sell at the front door of the courthouse of this county, on a credit of six and twelve months time, so much of the said tract of land owned jointly by the said O. P. Livesay and Nancy E. Livesay as may be necessary to pay the above recoveries in favor of the said A. J. Baker; and said commissioner will <sup>then</sup> sell so much of the <sup>remaining</sup> undivided interest, or moiety, of the said O. P. Livesay in said tract of land as may be necessary to pay the amount of the said recoveries in favor of I. W. Campbell & Son, and I. W. Campbell against the said O. P. Livesay, together with the cost of this suit and commissions of sale, except as to the costs of this suit and commissions on said sale which will be required to be paid in hand, and for the deferred payments, he will take bonds with good security bearing interest from date, payable to himself as commissioner. Said commissioner will, before selling, advertise the time, terms and place of sale for at least thirty days by written advertisements posted at the front door of the court-house and in the vicinity of said land, and will execute bond before the clerk of this court in the penalty of \$1,000.00 conditioned according to law. He will report his action hereunder to the court at the next term, and the cause is continued.



J. W. Campbell & son  
v83 Decree to 2.  
J. P. Leary, et al.  
For sale.

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Entered in O.B.  
No 8-P-284c-

Enter this decree  
H & W  
May 16 1906.



VIRGINIA-

At a Circuit Court continued and held for Lee County at the Court-house thereof on Tuesday the 16th day of May, 1905.

I. W. Campbell & Son, Plffs.

Vs. In Chancery

O. R. Livesay, A. R. Surgener, Admr. of the estate  
of S. S. Surgener, deceased Defts.

This cause came on again to be heard upon the papers formerly read in the cause, and the report of A. M. Goins, Commissioner, filed in this cause April 14th, 1905, and the written statement of the defendant, A. R. Surgener, administrator as aforesaid, dated March 20th, 1905, and addressed to said Goins, Commissioner, in which said Surgener stated that to the best of his knowledge the vendor's lien retained in the deed of the said S. S. Surgener in his lifetime to the said defendant, O. P. Livesay and Nancy E. Livesay, his wife, for the tract of land in the bill mentioned has been satisfied, and was argued by counsel, on consideration whereof, and no further answer on this point having been made by the said Administrator and the said report of the said Goins being unexcepted to, it is adjudged, ordered and decreed that the said report be, and is hereby confirmed, and pursuant to said report it is adjudged ordered and decreed that A. J. Baker recover against the said O. P. Livesay and Nancy E. Livesay, his wife, the sum of \$500.00, the amount of his deed of trust, with interest thereon from February 21st, 1902, until paid which is adjudged to be a first lien on the tract of land conveyed by S. S. Surgener, deceased to the said O. P. Livesay, and Nancy E. Livesay, his wife in the bill mentioned, and to be paid jointly by the said Livesays, that I. W. Campbell & Son recover against the said O. P. Livesay \$67.52, with interest on \$59.42, part thereof, from the 26th day of September, 1897, until paid and on \$8.10, the residue thereof, from the 17th day of October, 1903, until paid, and \$1.25 cost, subject to a credit of \$72.00 paid April 28th, 1905. And that I. W. Campbell recover against the said O. P. Livesay \$23.57 with interest on \$20.75, part thereof, from 26 day of September, 1897, until paid and on \$2.82, the residue, thereof,



from the 17th day of October, 1903, until paid, and \$1.25 costs. These two last recoveries, being the amount of the two Justices Judgments against the said O. P. Livesay in the bill mentioned, and each of which is adjudged to be a second lien upon the interest of the said O. P. Livesay in the said tract of land conveyed to him and his said wife, by the said S. S. Surgener deceased, and that the plaintiff recover against the said O. P. Livesay the costs of this suit and that the vendor's lien retained in said deed from S. S. Surgener to O. P. Livesay and Nancy E. Livesay his wife, be and the same is hereby released.

And unless the above recoveries are paid within thirty days from the adjournment of this court, then said James W. Orr, who is appointed a Commissioner for that purpose will proceed to sell at the front door of the Court-house of the County on a credit of six and twelve months time, so much of the said tract of land owned jointly by the said O. P. Livesay and Nancy E. Livesay as may be necessary to pay the above recovery in favor of the said A. J. Baker; said Commissioner will then sell so much of the remaining undivided interest or moiety of the said O. P. Livesay in said tract of land as may be necessary to pay the amount of the said recoveries in favor of I. W. Campbell & Son and I. W. Campbell against the said O. P. Livesay, together with the cost of this suit and Commissions of sale, except as to the costs of this suit and Commissions on said sale which will be required to be paid in hand and for the deferred payments he will take bonds with good security bearing interest from date, payable to himself as Commissioner. Said Commissioner will before selling, advertise the time, terms, and place of sale for at least thirty days by written advertisements posted at the front door of the Court-house and in the vicinity of said land, and will execute bond before the Clerk of this Court in the penalty of \$1000.00, conditioned according to law. He will report his action hereunder to the Court at the next term, and the cause is continued. A Copy-Teste: W. H. T. King, Clerk.



J. W. Campbell & Son  
vs. Deere  
A. P. Livesay et al  
~~~~~  
Jas. W. Orr.

Copy

May 30  
Entered by having  
Copy of record on  
Jas. W. Orr  
M. D. Denny  
A. S.  
Clerk 80¢



I. F. Campbell & Sons, Plaintiffs.

vs. In Chancery

O. P. Livesay, et al, Defendants.

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This cause came on agains to be heard upon the bill of the plaintiff and exhibits therewith, the process duly executed on the defendants, and the cause regularly matured at rules, and set for hearing by the plaintiffs and was argued by counsel. And the defendants failing to appear and plead, answer or demur the bill is taken for confessed against them. On consideration thereof, it is adjudged, ordered and decreed that the plaintiffs recover against the defendants O. P. Livesay \$68.52 with interest on \$59.42, part thereof from the 26th day of September, 1897, and on \$8.10, the residue thereof from the 17th day of October, 1903 until paid, and the costs of this suit, which recovery is adjudged to be a lien on the interest of the said defendant in the tract of land in the bill mentioned, and that A. M. Goins, who is appointed a commissioner for the purpose to take an account in this cause of the indebtedness of the said O. P. Livesay that constitutes liens upon the said interest in said tract of land, and report said liens together with their priority to the next term of this court, and wether or not the interest of the said Livesay in the said tract of land will rent for a sum sufficient in five years to pay the liens against the same, together with the costs of this suit, and said commissioner will also ascertain and report whether or not the vendor's lien retained in the deed of S. S. Surgener, deceased, to the said O. P. Livesay and Nancy E. Livesay, his wife, in the bill mentioned has been paid and satisfied, and should be released on the record of said deed. Said commissioner will give the parties in interest due and reasonable notice of his sittings and will report upon the matters herein directed together with any other matter deemed pertinent by himself, or required by the parties in interest, and report to the next term of this court, and the cause is continued.



J. W. Campbell & Son  
vs Deere  
O. P. Leary et al.

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Entered in Chancery  
Order Book  
page. 575.

Enter this Deed  
Hawkins  
Feb 21 1905.



COMMISSIONER'S REPORT.

I.W.Campbell & Son,

Complts.

vs.

In Chancery.

O.P.Livesay et al.,

Defts.

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To the Hon. H.A.W.Skeen, Judge of the Circuit Court for Lee County, Virginia:

Your undersigned commissioner, appointed by decree entered in the above styled cause on Feb. 21st, 1905, begs leave to report, that, after having given notice to the parties, as required by said decree, and as will be seen from said notice herewith filed, marked "N", he proceeded, on the 20th day of March, 1906, at his office in the town of Jonesville, the time and place designated in said notice, to do and perform the matters and things in said decree directed; and the proceedings having been thenceforward continued from day to day, and being at length completed, the result is herewith respectfully submitted.

Your commissioner is directed by the aforesaid decree, as follows: To "take an account in this cause of the indebtedness of the said O.P.Livesay that constitute liens upon the said interest in said tract of land, and report said liens, together with their priority to the next term of this court, and whether or not the interest of the said Livesay in the said tract of land will rent for a sum sufficient in five years to pay the liens against the same, together with the costs of this suit, and said commissioner will also ascertain and report whether or not the vendor's lien retained in the deed of S.S.Surgner, dec'd, to the said O.P.Livesay and Nancy E.Livesay, his wife, in the bill mentioned, has been paid and satisfied and should be released on the record of said deed. Said commissioner will give the parties in interest due and reasonable notice of his sittings and will report upon the matters herein directed, together with any other matter deemed pertinent by himself, or required by the parties in interest, and report to the next term of this court".

In obedience to the foregoing requirements your commissioner files herewith as part hereof, statement "A", which is a statement showing the liens against the real estate of the said O.P.Livesay,



to whom each lien is due, the amount thereof, with interest calculated thereon up to May 15th, 1905, (the first day of the term of this court), and the priority of each lien, as indicated by the numerical value of the figures in the left hand margin of said statement. As will be seen from said statement "A", the total lien indebtedness against the real estate of the said O.P. Livesay amounts to \$729.83, as of May 15th, 1905. Said Livesay owns no real estate in this county, that the commissioner has been enabled to ascertain, except his interest in the tract of land covered by the deed of trust herein.

The commissioner ascertains that the interest of the said O.P. Livesay, in the lands herein, will not rent for a sum sufficient in five years to pay the liens reported in statement "A", and the costs of this suit.

The Commissioner also ascertains, and here reports, that the vendor's lien retained in the deed from S.S. Surgner, now deceased, to O.P. Livesay and Nancy E. Livesay, his wife, in the bill mentioned, has been satisfied and should be released on the record of said deed--(See statement by A.R. Surgner, Admr., filed herewith, marked "S").

And now having reported upon the matters specially required by the court, and not being required by any person in interest, or himself deeming it necessary, to report upon any other matter, the commissioner here respectfully submits this his report, this April 14, 1905.

..... *A. M. Goins*  
Special Commissioner.

Fee for this Report, \$ 6.00

Fee charged to .....

I, A.M. GOINS, Special Commissioner in the above styled cause, do hereby make oath that I was diligently employed not less than 8 hours, in performing the services for which the fee above stated is charged, and do so certify, this 14<sup>th</sup> day of April, 1905.

..... *A. M. Goins*  
Special Commissioner.



LIST OF LIENS AGAINST THE REAL ESTATE OF O.P.LIVESAY.

1" To deed of trust executed Feb. 21, 1902, by Nancy E. and O.P.Livesay to L.T.Hyatt, trustee for the benefit of A.J.Baker, and payable three years after date--Recorded Feb. 24, 1902, in Deed Book 38, page 393,--

" Int. on same from 2/21/'02 to 5/15/'05,	\$500.00	
To Amt. due as of Nov. 15th, 1905,	99.50	
	<u>\$599.50</u>	\$599.50

2" To judgment in favor of I.W.Campbell & Son vs. O.P.Livesay--Judgement rendered Oct. 17, 1903, and docketed Oct. 27, 1903, for

" Int. on \$59.42 from 9/26/1897 to 5/15/'05,	\$ 67.52	
" " " \$ 8.10 " 12/17/'03 to 5/15/'05,	27.22	
" Cost on judgment,	.77	
To Amt. due as of Nov. 15, 1905,	1.25	
	<u>\$ 96.76</u>	\$ 96.76

2" To judgment in favor of I.W.Campbell vs. O.P.Livesay--Judgement rendered Oct. 17, 1903, and docketed Oct. 27, 1903, for

" Int. on \$20.75 from 9/26/1897 to 5/15/'05,	\$ 23.57	
" " " \$ 2.82 " 10/17/'03 to 5/15/'05,	8.50	
" Cost on judgment,	.25	
To Amt. due as of Nov. 15, 1905,	1.25	
	<u>\$ 33.57</u>	\$ 33.57
TO TOTAL LIEN INDEBTEDNESS AS OF 5/15/'05,		<u>\$729.83</u>



J. W. Campbell & Son

vs. { Comr's Report.

O. P. Livesay et al.

Filed April 14<sup>th</sup> 1905.

S. C. Ewing Clk.

Comr's Fee, \$6<sup>00</sup>



I. W. Campbell & Son.

Plaintiffs.

vs.

In Chancery.

O. P. Livesay. *et al.*

*Defendants.*

The undersigned commissioner in this cause respectfully reports, that under the decree rendered therein on the 16th day of May, 1905 appointing him a commissioner to sell the lands in the bill and proceedings mentioned to pay the debts adjudged against the said O.P. Livesay and Nancy E. Livesay, the said O. P. Livesay has paid to the attorneys of the plaintiffs the amount of the judgment in the said decree mentioned in favor of the plaintiffs, together with the cost of this suit up to the present time. And your commissioner has not proceeded to sell said land from the fact that he was directed by A. J. Baker, the owner of a deed of trust in said decree mentioned, to not so proceed until his further order. It was, therefore, not necessary to make a sale of the said lands until your commissioner shall be so directed by the said Baker. And your commissioner supposes this cause might be continued until such time as the said Baker sees fit to enforce said decree, or the said deed of trust shall have been paid by the said defendants Livesay and wife.

*James W. Orr Commissioner*

To the Hon. H. A. W. Skeen, Judge &c.



J. W. Campbell & Son.

vs { Cour Or's Report.

O. P. Leroux et al.

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Filed Sept 7<sup>th</sup> 1905.

H. T. Ewing.

Clk.



\$ 59.42 Sept 26/94  
 1.46 1/2  
 29710  
 23768  
 2971  
 2703.61  
 2  
 27.05  
 59.42  
 \$ 86.47  
 8.84  
 1.06 costs  
 \$ 96.31

12 - 7 = 5  
 12  
 45 1/2  
 29  
 5.8  
 7  
 8.10 Oct  
 9 12/903  
 72.90  
 2  
 74  
 8.10  
 8.84  
 1-6-11  
 12  
 9

Int of Campbell freight  
 or O. R. Leary as calculated  
 by Carr Goods to May 15"/1905.

1st \$ 96.76  
 2nd 33.57  
 \$ 130.33

or Apr 28"/1905 - check  
 of Mahoney Jones Co 72.00



Campbells  
vs { Merino  
C. P. Leary

8 82  
107  
100  
50  
100  
8 2.50  
18.00  
Clear 6.00  
\$25.50

9.27  
4.50  
7.77



AL

72.00 Apr 28

36  
17  
232  
36  
612  
20

29  
18  
232  
29  
31522

96.76 May 15 1905  
53.57 " " "

130.33  
72.20 as of " " "  
58.13 May 15 1905  
29  
114  
58.59

32.77 casts  
91.36 July 3rd 1905

1905 July 3rd By cash

76.36  
15.00

Cr

Cr

Bal

Cash recd

Casts - Ch. quit. 200 -  
Chick received, May 12 1905

7th due from Quincy  
Chick received July 1905

16.33  
32.77  
50.00

15.00  
57.26  
63.26

72.00

76.36

148.36

15.00

163.36

99.10

65.26



O. P. Lucasy.

Statement.

July 3rd 1905.



Blackwater, Va., OCT 14 1899

Clk Circuit Court

F22 Au Va Sir, you  
will please mark the  
judgment obtained in  
Circuit in the year of  
1889 or 1890 in my favor  
v.s. C. P. Fiverson for the  
Amount of about (\$117.00)  
Satisfied

and oblige

N. B. Lounyshaw

Attest

J. H. Cannon



S. C. SURGENER & CO.,

**Dry Goods,**  
Notions, Boots, Shoes,

Hats, Groceries, &c.

Hardware, Queensware, Tinware, &c.

Highest Prices Paid for Country Produce.

Bertha, Tenn. March 20 1901-

Mr C. M. Jones Esq  
Sir:-

I will haft to state on oath to the Best of my knowledge that these vendors lines has bin satisfied against O. P. Lissay and Nancy Lissay, and dont think it worth any thing to work after it.

A. R. Surgener - admr



Statement

"8"



J. W. Campbell & Sons  
vs. { In Chy -  
O. P. Liversay.

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Papers of O. P. Liversay.

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A. M. GOINS,  
ATTORNEY AT LAW,  
JONESVILLE, VIRGINIA.

—22222—



Date of Judgment	By what Court Rendered	Time of Docketing	NAMES AND DESCRIPTION OF PARTIES		DEBT, DAMAGES INTEREST & COSTS	Amt. & date of Credits.
Oct. 17th 1903	H. C. Joslyn, J. P.	Oct. 27th, 1903.	I. W. Campbell & Son Vs. O. P. Levisay	Plffs. Deft.	Judgment "that the plaintiff, I. W. Campbell & Son recover of the defendant O. P. Levisay the sum of sixty Seven dollars and 52 cents with interest on \$59.42 part thereof from the 26th day of Sept. 1897 & on \$8.10 the residue, it being the Atty's fee from this 17th day of Oct. 1903, till paid & \$1.00 for his costs + 25 cts. Clerk.	
Oct. 17th 1903	H. C. Joslyn, J. P.	Oct. 27th 1903	I. W. Campbell Vs. O. P. Levisay	Plff. Deft.	Judgment that the Plaintiff I. W. Campbell recover of the defendant O. P. Levisay, \$23.57 with interest on \$20.75 from the 26th day of Sept. 1897, and on \$2.82, the residue, it being the Attys fee, from 17th day of Oct. 1903, till paid & \$1.00 costs + 25 cts. Clerk.	
The above judgments are indexed as follows:					Judgment Lien Docket No. 4, page 57.	
			Levisay, O. P. ads. I. W. Campbell & Son	57	A Copy. Teste: <u>H. T. Curing</u> , Clerk.	
			Levisay O. P. ads. I. W. Campbell	57		



His 124

Clark 509



NOTICE.

VIRGINIA,

At a Circuit Court continued and held for Lee County at the courthouse thereof, on February 21st, 1905:

I.W.Campbell & Son.

Plaintiffs,

vs.

In Chancery.

O.P.Livesay et al.,

Defendants.

-----  
EXTRACT FROM DECREE.

\*\*\*\*\*"And that A.M.Goins, who is appointed a commissioner for the purpose, do take an account in this cause of the indebtedness of the said O.P.Livesay that constitute liens upon the said interest in said tract of land, and report said liens, together with their priority to the next term of this court, and whether or not the interest of the said Livesay in the said tract of land will rent for a sum sufficient in five years to pay the liens against the same, together with the costs of this suit, and said commissioner will also ascertain and report whether or not the vendor's lien retained in the deed of S.S.Surgner, deceased, to the said O.P.Livesay and Nancy E.Livesay, his wife, in the bill mentioned has been paid and satisfied, and should be released on the record of said deed. Said commissioner will give the parties in interest due and reasonable notice of his sittings and will report upon the matters herein directed, together with any other matter deemed pertinent by himself, or required by the parties in interest, and report to the next term of this court."

A Copy-Teste:

.....  
Clerk.

\*\*\*\*\*  
COMMISSIONER'S NOTICE.

The parties interested in the decree from which the foregoing is an extract, will take notice that on the 20<sup>th</sup> day of March, 1905, at my office in the town of Jonesville, I shall proceed to execute the same, when and where they are required to attend, with such books, papers, vouchers, and evidence as will enable me to comply with the order of the court. This March 7th, 1905.

.....  
A.M.Goins  
Commissioner.



executed by delivery  
 a true copy of the  
 with in to  
 W. L. Liversay  
 the wife of  
 O. P. Liversay  
 this March 16, 1905  
 J. H. Hughes D. C.  
 for P. M. Ball  
 R. L. C.

O. P. Liversay appeared  
 before the Court on  
 Mar. 20<sup>th</sup>, the day fixed  
 in this notice.  
 U. M. Goins  
 Court.  
 Notice  
 "A."

J. H. Campbell & Son  
 vs. { In Lohy  
 O. P. Liversay et al.  
 The court legal service of the  
 within Article No. 134/1905  
 J. H. Campbell & Son.  
 By: O. P. Ball, attys.  
 Executed by delivering  
 a copy of the within  
 notice to O. P. Liversay,  
 this March 16, 1905.  
 D. C.  
 for P. M. Ball  
 R. L. C.  
 (over)

and report to the next term of this court.  
 Defendant in himself, or admitted by the parties to interest,  
 before the court, together with any other matter needed  
 the and necessary notice of the parties to the parties to interest  
 of this deed. said constitutional with give the parties to interest  
 and been held and satisfied, and others be satisfied of the record  
 O. P. Liversay and others Liversay, his wife, to the still satisfied  
 them satisfied in the deed of O. P. Liversay, together with the said  
 and report to the next term of this court.  
 Defendant in himself, or admitted by the parties to interest,  
 before the court, together with any other matter needed  
 the and necessary notice of the parties to the parties to interest  
 of this deed. said constitutional with give the parties to interest  
 and been held and satisfied, and others be satisfied of the record  
 O. P. Liversay and others Liversay, his wife, to the still satisfied  
 them satisfied in the deed of O. P. Liversay, together with the said

.....  
 constitutional.  
 .....



NOTICE.

VIRGINIA,

At a Circuit Court continued and held for Lee County at the courthouse thereof, on February 21st, 1905:

I.W.Campbell & Son,

Plaintiffs.

vs.

In Chancery.

O.P.Livesay et al.,

Defendants.

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EXTRACT FROM DECREE.

\*\*\*\*\*"And that A.M.Goins, who is appointed a commissioner for the purpose, do take an account in this cause of the indebtedness of the said O.P.Livesay that constitute liens upon the said interest in said tract of land, and report said liens, together with their priority to the next term of this court, and whether or not the interest of the said Livesay in the said tract of land will rent for a sum sufficient in five years to pay the liens against the same, together with the costs of this suit, and said commissioner will also ascertain and report whether or not the vendor's lien retained in the deed of S.S.Surgner, deceased, to the said O.P.Livesay and <sup>Nacy</sup> E.Livesay, his wife, in the bill mentioned has been paid and satisfied, and should be released on the record of said deed. Said commissioner will give the parties in interest due and reasonable notice of his sittings and will report upon the matters herein directed, together with any other matter deemed pertinent by himself, or required by the parties in interest, and report to the next term of this court."

A Copy-Teste:

.....  
Clerk.

COMMISSIONER'S NOTICE.

The parties interested in the decree from which the foregoing in an extract, will take notice that on the *20<sup>th</sup>* day of *March*, 1905, at my office in the town of Jonesville, I shall proceed to execute the same, when and where they are required to attend, with such books, papers, vouchers and evidence as will enable me to comply with the order of the court. This March 7th, 1905.

.....*A. M. Goins*,  
Commissioner.



J. W. Campbell & Son

vs. { In Chy.

O. P. Livesay et al.

Executed by delivering  
a copy of the within  
notice to A. R. Burgess,  
Admr &c, this March

17, 1905. W. A. Owens D.S.

for P. M. Ball, S. L. C.

Notice

"N."

to certain of the copies of the notice. The notice is to be  
sent and books, papers, documents and articles in the hands  
to examine the same, when and where they are delivered to a court,  
and if a notice is the form of "notice" and if the notice  
is not signed, with the notice filed in the court, the notice is  
the notice submitted in the notice filed in the court.

NOTICE OF NOTICE.

NOTICE.



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *O. P. Livasy and*  
*A. R. Surgenor* Administrator of the Es-  
tate of *H. S. Surgenor, deceased*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be  
held for the said court, on the *3rd* Monday in *Nov.*, 190*4*, to answer a  
bill in chancery exhibited against *them* in our said court by  
*J. W. Campbell Jr. & J. W. Campbell Jr.*  
*Merchants under the firm name of*  
*J. W. Campbell & Son*

And have then there this writ. Witness, *H. C. Ewing*  
*J. B. MURPHY* Clerk of our said Court,  
at the court-house, the *14th* day of *Nov.*, 190*4*, and in the 12 *9th*  
year of the Commonwealth.

A copy, Teste:

*H. C. Ewing, Clerk.*

*H. C. Ewing*, Clerk.



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vs.      {      SUBPEONA  
             {      IN CHANCERY.

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.....p. q.

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To .....Rules.

.....Court.

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The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *O. P. Lively and*  
*A. R. Surgeuer, Administrator of The*  
*Estate of S. S. Surgeuer, deceased.*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be  
held for the said court, on the *3<sup>rd</sup>* Monday in *Nov.*, 190*4*, to answer a  
bill in chancery exhibited against *Them* in our said court by  
*J. W. Campbell Sr. and J. W. Campbell Jr.*  
*merchants under the firm name of*  
*J. W. Campbell & Son*

*N. B. Ewing*  
And have then there this writ. Witness, *A. B. MUNSEY*, Clerk of our said Court,  
at the court-house, the *14* day of *Nov.*, 190*4*, and in the 12*9<sup>th</sup>*  
year of the Commonwealth.

*N. B. Ewing*, Clerk.



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*J. W. Campbell & Son.*

VS.

SUBPEONA  
IN CHANCERY.

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*C. P. Livasy et al*

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*Orre & Noel* p. q.

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To *2<sup>nd</sup> Nov.* Rules.

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*Lee Circuit* Court.

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Executed by delivering a  
copy of the within notice to  
A. R. Surgenel C. P. Livasy  
not found. Lives near  
Rose Hill this Nov <sup>the</sup> 13 1904  
C. F. McPherson D. C.  
for P M Ball S. L. C  
Sheriff's cost .50



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

*again*  
WE COMMAND YOU, That you summon *O.P. Livsey and A.R.*  
*Surgner, Administrator of S.S. The estate*  
*of S.S. Surgner, deceased.*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held  
for the said court, on the *1<sup>st</sup>* Monday in *January* *1905* to answer a  
bill in chancery exhibited against *Thurs* in our said court by *J.W.*  
*Campbell & Son*

And have then there this writ. Witness, *H.C.T. Ewing*  
*A. B. Munsey* Clerk of our said Court, at the  
court-house, the *16<sup>th</sup>* day of *Dec'r* *1904*, and in the *129<sup>th</sup>* year of the  
Commonwealth.

*H.C.T. Ewing, Clerk.*



*J. W. Campbell & Son*

vs. {

SUBPOENA

IN CHANCERY

*O. P. Liversay et al*

*Ors & Kork* p. q.

To

*1st Jan'y*

Rules.

*1st Circuit*

Court.

*1905*

Executed by  
Serving a true  
copy of the  
1904. *Wm. M. Ball S. C.*